

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KURT HOLZAPFEL, )  
                        )  
Plaintiff/ Appellant, )  
v.                     )  
                        )  
**THE PEOPLE OF THE COMMONWEALTH )**  
**OF PENNSYLVANIA                 )** 2:05cv1057  
                        )  
Appellee,             )  
and                    )  
                        )  
**JOHN AND/OR JANE DOE(S),      )**  
                        )  
Respondents.        )

**ORDER OF COURT**

AND NOW, this 23rd day of September, 2005, upon consideration of the MOTION FOR RECONSIDERATION OF SUMMARY DISPOSITION/ NOTICE OF DEFAULT AT COMMON LAW (“Motion”) (*Document No. 6*) filed by plaintiff Kurt Holzapfel, and it appearing to the Court that Plaintiff has failed and neglected to comply with the Federal Rules of Civil Procedure regarding service of process, that as of this date no named defendant in this action has been properly served with process in accordance with the applicable Federal Rules of Civil Procedure regarding service of process, and,

NOW THEREFORE, said Motion is **DENIED**.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

cc:   Kurt Holzapfel  
     RD 1 Box 746  
     New Alexandria, PA 15670